

REMARKS

Claims 55-64, 67 and 70-73 are pending in the application.

Claims 62-64 and 67 were previously withdrawn from consideration.

Claims 56-61 are rejected.

Claims 70-73 have been added.

Claim Amendments

Claims 56, and 57-61 through their dependency have been amended. The claims are fully supported by the specification and should be entered to advance the application to allowance. New claims 70-73 have been added particularly pointing out the self aligning feature of the modular apparatus.

Rejections Under 35 USC 102

Claims 56-61 are rejected under 35 U.S.C. 102(b) as being anticipated by *W.G. Mitchell et al.* (US Patent No. 2,727,598). Applicant addresses the rejection by more particularly pointing out and claiming the Applicant's invention. The rejection should be withdrawn because the Mitchell '598 patent does not teach, or suggest, each and every element of independent claim 56, as amended to include the requirement of fluid communication of the tool with the valve of the timing device. Specifically, Mitchell does not teach, or suggest, a "modular control apparatus having a valve in fluid communication with the tool" in combination with "adjusting the flow rate of the valve to control the output of the modular control apparatus" (emphasis added), as in claim 1, as amended. Mitchell does not teach or suggest a torque limiting timing device in fluid communication controlled by a valve, but it teaches a spring loaded valve in mechanical communication that is shock closed by impact from the workpiece at time zero. Mitchell teaches "by threaded adjustment of the ring 52 the tension of the spring 48 against the inertia ring 46 may be varied so as to vary the desired degree of tightness at which

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the torque limiting device may become operable" (emphasis added) Therefore Wallace now teaches away from the method of using the apparatus as claimed by the applicant. There is no suggestion or disclosure of time(s) being selected so as to shut off air flow by being in fluid communication with the pressure regulator.

The applicant respectfully requests that the after final amendment be entered to advance the application to allowance. Thus, in light of the enclosed amendment, the rejection of claim 56 should be withdrawn and the claim allowed. In that claims 57-61 that depend from independent claim 56 should also be allowed.

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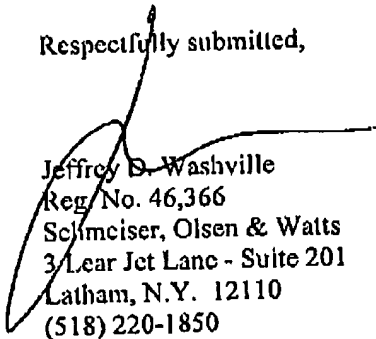
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CONCLUSION

Based on the preceding amendments, Applicant respectfully submits that claims 56-61 and 70-73 along with the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes anything further would be helpful to place the application in better condition for allowance, Applicant invites Examiner to contact Applicant's representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 19-0513.

Date: *5 DEC 05*

Respectfully submitted,



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